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THE OUTLOOK FOR THE SCIENCE OF CRIMINALISTICS.¹

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One of America's greatest thinkers, William James, was wont to say that if a future civilization should look back critically on our weaknesses, the two main ones would be recognized as war and our treatment of offenders. About the first defect, at the present time, we are all persuaded. The handling of criminals is only gradually coming to be discerned for what it really is, prodigious effort honeycombed, as the results show, by inefficiency.

It is not necessary here to go over the figures of monetary cost or more human statistics from courts, prisons, reformatories. Nor need we cite the ever-astonishing facts of recidivism as gathered from statistical sources or from single careers to show the failures in the treatment, under the law, of cases and causes of criminalism. Many of us have repeatedly presented some statement of the ascertainable data. The desirability of emerging from such futilities need not be argued. How is it to be accomplished?

How has progress been made in dealing with other human conditions? How has conquest been made of diseases? Simply by the growth of human knowledge, gained through reasoning and experiment, leading to appreciative understanding of the essentials which underlie the problems involved. There is no other road to success. We might take the thesis of Herbert Spencer's old essay, "What Knowledge is of the Most Worth," and apply it here—it is scientific knowledge; scientific understanding of the basis of conduct.

Now do we really know at all well, in specific cases or in general, the phenomena which genetically underlie the behavior which we call criminalism? Can anyone suppose that the ordinary judicial survey of the offender, or the usual observation of him in institutions brings to light the essentials that really must be met if he is to be changed for the better or checked in any other way. In the process of a legal trial or during enforced detention we find very little addition to knowledge of motives and tendencies—the latter being the dynamic elements which society cares above all things to have altered if they are inimical to general welfare. Motives and tendencies very often have deep-lying roots, and the motivation in anti-social behavior offers no exception. He who thinks that the ordinary superficial attitude towards criminal-

¹An address before the American Prison Association, St. Paul, Minn., October 3-8, 1914.

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istic springs of conduct comprises the possible extent of our effective knowledge on that point is in the position of the lecturer who on the night that the first message was sent through the Atlantic cable attempted to demonstrate the impossibility of electric currents ever being sent under the ocean. Efficient progress is possible, and, as in other fields, with the application of proper methods will surely come.

To this end the study of criminalistics must receive friendly aid from all dealing with or interested in offenders.³ The future of this science is worthy of the most earnest consideration. Let all acknowledge that its development is needed—how can this science from present beginnings reach anything like its possible limit of service? The outlook depends, one may be assured, upon how well its work is done. This fact is to be clearly perceived, for in its own attempt to introduce a critical method in a certain field this science must itself display ardent self-criticism.

The science of criminalistics must preserve the best spirit of the other sciences. It must be willing to carefully observe and patiently wait. Almost all the problems of human conduct involve the computation of exceedingly complex factors, which frequently move slowly in the realms of time. The problems of behavior are more stubbornly enduring, and perhaps more difficult to answer than any other. This study must constantly recognize the intricacies of its own material. It should also acknowledge the fact that at present it is in the stages of infantile growth. In modesty should it take note of these points, while forcefully giving evidence of its being alive, with a capacity for enormous growth.

The outlook for it depends upon how practical it becomes, upon how much service it can offer. For this it will have to keep its feet firmly on the ground of fact. The interesting and even able theories of the past must, as theories, be outlived. And this will come about easily and directly through development of good scientific method. As the facts are gradually gathered in, conclusions can be drawn from them alone.

Concerning the supply of data of practical importance, I am convinced that we are only in the earliest stages of gathering these. As yet we have never had even the barest statistics upon which it would be safe to base alterations of present methods. Not that I assert great values, however, in any cut-and-dried statistics and classifications. The essentials to be learned are the much more human facts concerned with

³Criminalistics is the term preferred, in German fashion, to the word criminology, because many phenomena besides those pertaining to the legally defined crime itself and to the criminal, should be studied.

the development of characteristics of the inner life from which conduct springs.

The outlook depends upon how scientifically thorough the science is going to be; upon how well it puts under contribution all of the phenomena which belong in its sphere, seeing from the first the manifold complexities that must be reviewed in order that conclusions may be persuasive, and practical results reached. The possible effects of acquired experiences and acquired tendencies of the mind must be studied, for instance, as well as the innate qualities. Environmental influences, before prison life or during it, as well as congenital and hereditary factors, must be taken cognizance of. Many elements in the field of normal moral life, as well as pathological findings, are to be sized up in their proper relationships. A science which handles such a complex subject must prepare itself for many logical and phenomenal intricacies.

The outlook for the science of criminalistics depends upon how free it is going to keep itself from crankiness—from one-pointed outlooks upon its world. Development is so new along these lines that various criticisms which have been directed, often most advantageously, upon other sciences have not yet appeared. One of the first weaknesses that will be rightly challenged will be any unwarranted drawing of conclusions from insufficient survey of the data. The latter is the essence of crankiness.

The outlook depends upon how well this growing science avoids the contentiousness of the theoretical schools. It is interesting to look back upon the historical growth of many of the sciences and note the quarrels that have frequently taken the place of earnest search for convincing facts. It was so in medicine, it has been thus in psychology. In this domain, with all the light shed from the past, there should be constant charting of the areas of ignorance wherever they exist, and complete reliance only on self-critical survey of definite findings.

The outlook, then, we should insist, depends upon whether those who carry this science forward are willing to proceed by the slow and painstaking methods that have characterized ultimately efficient efforts in other difficult fields. There is a constant temptation, there always has been, for inquiry in criminalistics to get its conclusions prematurely before the public. Some of the data about offenders are already public property and there is a strong demand for further elucidation of the phenomena. We who are thinking of the safe building of our science desire above everything the development of factual foundations that shall so withstand critical inspection that there will be no setback in the confidence which they whom we wish to serve shall have in our undertaking.

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This science and its component parts are in the future often going to be dissected by minds trained in the ability to place ideas which are not adequately founded in the category to which they properly belong. Men of the law tell me there is already a looking askance at the foundations of our recent development in this field. It is to forfend the disaster which complete lack of confidence upon the part of fair-minded, but highly critical men would bring about that we ask for an extra amount of self-criticism while our methods and data are all so young.

It is because criminalistics is a science dealing primarily with dynamics, with the forces that make for criminalism, that it is, and will be still more, in a position to suggest many advantageous alterations in the fields of criminal procedure, penal administration, and progress in preventive phases of criminalistics. As it develops, it is going to be, and already partially is, in a position to apply the test of efficiency to the law. The law has not seen fit to develop any accurate criteria for judging whether or not its methods are effective, but it should heartily welcome any genuine science which can tell the tale of success and failure. Years of careful observation, following upon well-established diagnoses of the forces making from criminalistic conduct, will be necessary. The entrenchments of legal doubt, like the kingdom of Heaven, are not to be taken by storm.

The relation of this science to the reform that is ever called for now-a-days in many aspects of the practical treatment of delinquency ought to be obvious. It furnished the only criteria by which one can sanely judge of the values of many reforms. Of course the application of common-sense points of view to the treatment of prisoners, for instance, such as placing them in more healthful surroundings and occupations, or freeing them from the self-evidently pernicious influences of ordinary jail life, needs no intimate diagnostic study of causes to prove its absolute validity. But there are many proposed and undoubtedly desirable measures, the value of which can only be gauged according as they are estimated in their special relationships to the thousand and one peculiarities of personal equipment or environmental influences which are readily discerned by the scientific method as playing their part in criminalism.

The task of the new science of criminalistics is to bring scientific effort and scientific treatment in play in a field where it has heretofore been woefully lacking. If our science partakes of the spirit of thorough-going and utterly sane inquiry and deduction it can go unfalteringly forward.